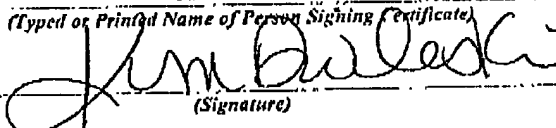


MAR-14-06 TUE 10:48 AM

FAX NO.

RECEIVED
CENTRAL FAX CENTER P. 01

MAR 14 2006

| | | | |
|---|--------------------------|-------------------------|-------------------------------|
| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) | | | Docket No. BUR920040162US1 |
| Applicant(s): Gambino et al. | | | |
| Application No. 10/711,456 | Filing Date 9/20/2004 | Examiner Le Dung Anh | Group Art Unit 2818 |
| Invention: METHOD OF FABRICATING COPPER DAMASCENE AND DUAL DAMASCENE INTERCONNECT WIRING | | | |
| <p>I hereby certify that this <u>Response to Restriction (2 pages)</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>3/14/2006</u> (Date)</p> <p style="text-align: center;"><u>Kim Dwileski</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p> | | | |

BEST AVAILABLE COPY

P18/REV02

RECEIVED
CENTRAL FAX CENTER

MAR 14 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/711,456

Applicant(s): Gambino et al.

Filed.: September 20, 2004

Art Unit: 2818

Dkt. No.: BUR920040162US1

Examiner: LE DUNG ANH

Title: **METHOD OF FABRICATING COPPER DAMASCENE AND DUAL
DAMASCENE INTERCONNECT WIRES**

Commissioner for Patents & Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed on March 2, 2006, Applicant hereby provisionally elects Species I, the claims readable thereon being 1-21 and 38. This election is made with traverse.

With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 1-38 and 50-60 are sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

S/N 10/711,456

1

BEST AVAILABLE COPY

The Director is hereby authorized to charge and/or credit Deposit Account 09-0456.

Should the Examiner require or request anything further from Applicant's prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the Agent Direct Dial telephone number below. Otherwise, Applicants request early and favorable examination on the merits

Respectfully submitted,
FOR: Gambino et al.

Dated: 03/14/2006

BY: Jack P. Friedman
Jack P. Friedman
Reg. No. 44,688
FOR:
Anthony M. Palagonia
Registration No.: 41,237

3 Lear Jet Lane, Suite 201
Schmeiser, Olsen & Watts
Latham, New York 12110
(518) 220-1850
Agent Direct Dial Number: (802)-899-5460